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Attorneys for Defendants

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
Bernard L. Madoff

Plaintiff,

v.

TRUST U/ART FOURTH O/W/O ISRAEL
WILENITZ, EVELYN BEREZIN WILENITZ,
individually, and as Trustee of the Trust U/ART
Fourth O/W/O Israel Wilenitz, and SARA SEIMS,
as Trustee of the Trust U/ART Fourth O/W/O
Israel Wilenitz,

Defendants.

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 08-1789 (SMB)

Adv. Pro. No. 10-04995 (SMB)

DECLARATION OF HELEN DAVIS CHAITMAN

I, Helen Davis Chaitman, hereby declare, under penalty of perjury pursuant to 28 U.S.C. §1746, as follows:

1. I am a member of the bars of New York and New Jersey, and of this Court. I am counsel for the Defendants represented by Chaitman LLP listed on ECF No. 14283 (the “Defendants”).¹

2. I submit this Declaration in support of Defendants’ request for permission to appeal the Hon. Frank Maas’ January 2, 2019 Order, ECF No. 18354.

3. Annexed hereto as **Exhibit 1** is a true and accurate copy of the Hon. Frank Maas’ January 2, 2019 Order, ECF No. 18354.

4. Annexed hereto as **Exhibit 2** is a true and correct copy of September 20, 2018 Joint Letter to the Hon. Frank Maas with Exhibits A-F.

5. Annexed hereto as **Exhibit 3** is a true and accurate copy of the Trustee’s November 19, 2018 letter to the Hon. Frank Maas.

6. Annexed hereto as **Exhibit 4** is a true and accurate copy of the May 17, 2016 transcript of proceedings before the Hon. Stuart M. Bernstein.

7. Annexed hereto as **Exhibit 5** is a true and accurate copy of the Hon. Frank Maas’ January 4, 2017 Order, ECF No. 14807.

8. Annexed hereto as **Exhibit 6** is a true and accurate copy of the Hon. Frank Maas’ March 15, 2017 Order, ECF No. 15236.

9. Annexed hereto as **Exhibit 7** are true and accurate excerpts from the November 19, 2018 hearing before the Hon. Frank Maas.

¹ This Declaration is filed on behalf of clients who are currently represented by Chaitman LLP in the following cases: 10-04995, 10-04818, 10-04914, 10-04826, 10-04644, 10-04541, 10-04728, 10-04905, and 10-04621.

10. Annexed hereto as **Exhibit 8** is a true and accurate copy of November 20, 2018 letter from Helen Davis Chaitman to the Hon. Frank Maas with Exhibits A and C. Exhibit B is omitted due to size, Excel spreadsheet: Bernard L. Madoff Investment Securities, LLC, Microfilm Reel Inventory as of June 28, 2017, Microfilm Inventory Color-Coded.

11. Annexed hereto as **Exhibit 9** are true and accurate excerpts from the July 26, 2017 hearing before the Hon. Stuart M. Bernstein.

January 16, 2019

/s/ Helen Davis Chaitman
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